

# STAFF REPORT

## LEWIS COUNTY SOUTH COUNTY SUB AREA PLAN

**HEARING DATE:** November 8th, 2011 @ 7:00 p.m.

**PROJECT DESCRIPTION:** Adoption of the South County Sub-Area Plan

### **Project Data**

Project Location:	The plan area is generally located in an area north of the Toledo Urban Growth Area, east of Interstate 5, and west of Jackson Highway and an area directly adjacent to Interstate 5 to the east, and directly adjacent to Interstate 5 and the Winlock Urban Growth Area to the west.
Applicant:	Lewis County Board of County Commissioners
Comprehensive Plan Designation:	RDD-5 and RDD-20.
Zoning:	RDD-5 and RDD-20.
Existing Land Use:	Vacant land, small farms, & Single-Family Residences).
Surrounding Zoning and Land Uses:	
• North:	Zoning north of the two proposed boundaries include a mixture of RDD-5, RDD-20 and Agricultural, with the exception of one of the proposed boundaries being adjacent to the Winlock UGA.
• South:	Zoning south of the two proposed boundaries include a mixture of RDD-5, RDD-20 and Agricultural

• East:	Zoning east of the two proposed boundaries include a mixture of RDD-5, RDD-20 and Agricultural
• West:	Zoning west of the two proposed boundaries include a mixture of RDD-5, RDD-20 and Agricultural with the exception of one of the proposed boundaries that is adjacent across I-5 to the Winlock UGA.
Land Division Status:	The proposed area(s) consist of individual parcels.
Shoreline Designation:	The subject area(s) are not affected by the Lewis County Shoreline Program.
Water Purveyor:	The subject area(s) are not served by a water purveyor.
Sewage Disposal:	The subject area(s) are not served by a public service provider.
Fire District #:	No. 2 & 15
Nearest Arterial:	A portion of the subject area(s) are located near Hwy. 505.

### **Critical Areas**

Aquifer Recharge Area:	Portions of the subject area(s) are located within a Critical Aquifer Recharge Area (CARA) identified as having moderate to low susceptibility.
Fish & Wildlife Habitat Conservation Areas:	Portions of the subjects area(s) are in conservation areas
Wetlands	Portions of the subject area(s) contain wetlands
Hydric Soils	Portions of the subject area(s) contain hydric soils

### **SEPA**

An environmental checklist was prepared by Lewis County for the proposal and Determination of Non-Significance (DNS) for a non-project action was issued for the proposal on Oct 18th, 2011, with a comment and appeal period ending on November 1st, 2011. The DNS was circulated to agencies of jurisdiction and published in the East County Journal and the Chronicle on Oct 18th, 2011.

### **Noticing & Public Participation**

Community Informational Meeting: The applicant held a community informational open house on October 6<sup>th</sup>, 2011.

Published: A Notice of Public Hearing proposal was published in the Legal Notice section of the East County Journal and the Chronicle on October 26<sup>th</sup>, 2011.

Circulation of amendment to state agencies for review as required by RCW 36.70A

Publication of amendment and map on Lewis County internet site

**Request & Purpose:** The application is a request to adopt the South County Sub Area Plan & Policies to be incorporated into the Lewis County Comprehensive Plan, where it will be consistent with, and supplementary to, the adopted goals and policies of the Comprehensive Plan and the Countywide Planning Policies. A sub area plan is generally more detailed and more specific, defines definite boundaries included in the Sub-Area, and includes a specific purpose for the plan area. The South County Sub Plan Area is designated as those lands defined as located within Township 11 & 12 North, Range 2 West; Willamette Meridian, lying north of the Cowlitz River.

The purpose of this Subarea Plan is to provide for the local needs relating to economic development and land use, including the protection of natural resources, rural life style, and property rights in South Lewis County. A set of goals, policies, and strategies have been developed to implement the plan.

This Subarea Plan is intended for use by citizens, the Lewis County Board of County Commissioners, the Planning Commission, the Hearing Examiner, and the Department of Community Development (Planning Department) when acting upon proposals and issues concerning the development of the land in the proposed areas included in the South Lewis County Sub Area.

**Site Information:**

The plan identifies two areas that are consistent with the criteria discussed above. Based on detailed studies two areas were identified as suitable for economic development in south Lewis County. These areas met the criteria described above. The first location is located on a state highway close to I-5 and connected to US 12 by the Jackson Highway. It is flat, well above the flood plain, has limited critical areas or prime habitats, and most of the existing parcels are large. The City of Toledo is close by and could be a provider of utilities, unless or until a regional utility is founded. The second area is the location of the I-5 and SR 505 interchange. It was selected due to its proximity to the City of Winlock's Urban Growth Area, and the interchange containing a state highway (505). The area encompasses both sides of I-5.

**Application Summary:** In 2008 a partnership of interests realized that economic development along the I-5 corridor had up to this point bypassed Lewis County, and that a coordinated plan to address this issue was needed. The partnership started planning for the future of South Lewis County under the direction of Lewis County and representatives of the cities of Vader, Toledo, and Winlock, area business and property owners, the Economic Development Council, the South County Chamber of Commerce, and the Cowlitz Tribe.

An advisory committee was formed to oversee and guide this process. This advisory committee consisted of individuals with interests in the project area. This included elected leaders in the South County Area,

The advisory committee met regularly over the course of 3 years to formulate a vision to guide goals and policies and to guide the writing of the South County Sub Area Plan.

Additionally, consultants and experts from the state Departments of Ecology and Fish and Wildlife studied the subarea looking for locations along I-5 and the state highways that were largely undeveloped and free of environmental constraints.

The state agencies provided information on areas within the subarea that should be protected from development due to water supply and quality features and priority wildlife habitats. Areas zoned as Agricultural Resource Lands of Long Term Commercial Significance (ARL) were avoided.

After three years of sub-committee meetings and public involvement, in September of 2010, the draft South County Sub Area Plan was presented to the Planning Commission for a public hearing. After deliberations the Planning Commission elected not to forward the plan to the Board of County Commissioners (BOCC).

As a result of feedback from citizens and elected leaders at a public hearing in the fall of 2010, several issues with the proposal were identified. Additional meetings with State departments confirmed the need to address additional issues

In early 2011, staff held several meetings with citizens in the SR 505/Jackson Highway area owning property in the proposed boundary areas that had voiced concerns with the south county sub area concept.

With the concurrence of the Board of County Commissioners, the properties of owners not wanting to be designated within the proposed urban growth area were excluded. These properties were located on the east and south side of the proposed UGA and were typically smaller in size. Three parcels in a single ownership on the northwest were added to the proposed UGA to supply a comparable total acreage.

Representatives of the state identified difficulties and needed additional work to address the required level of detail for the formal designation of a new urban growth area at this time. As a result of this meeting, it was determined that the Capital Facilities element of the plan required more up to date specific information to implement an Economic Development Urban Growth Area. This would include levels of service in the area, cost estimates for construction, provider of services, sources of funding, and other elements generally found in a Capital Facilities element. The recommended solution is to designate both of the proposed UGAs as Urban Reserve. The County's intent remains to proceed with UGA designations when a suitable way has been identified to provide the required urban services, particularly water and sewer.

Urban Reserve Overlay zones are utilized to protect land identified as suitable for Economic Development from premature land division that preclude the transition to Economic Development in the future. The established underlying zoning categories remain, along with the existing uses in the development code. The establishment of Urban Reserve zones will help ensure that the preferred committee alternatives for the Economic Development Urban Growth Areas will be available for future designation as UGAs.

Additionally, the County, with the Cities of Toledo, Winlock, and Vadar have been working on a co-operative utility agreement, and provisions for wastewater and water

delivery service. This process is still on-going. The formation of an Economic Development Urban Growth Area will require delivery of services, and will be dependent on the outcome of these discussions and resulting action.

### **Cumulative Evaluation**

Based upon the above staff review, various meetings with State Officials, elected officials and landowners, the following recommendations are proposed:

Staff excluded parcels on the south end of the boundary, and added parcels to the north of the boundary area for the Hwy 505/Toledo proposed Urban Reserve Overlay Area.

The proposed Urban Reserve Overlay Area area to be included at the I-5/Hwy 505 interchange includes an area in the southwest quadrant that was identified as primarily wetlands and identified as a conservation focus area in the South Lewis County Habitat Analysis Report prepared by the Department of Fish & Wildlife. It is anticipated this area will be included in the proposed boundary area, and be used as mitigation for any development impacts.

Additionally the two areas to the south along I-5 and the Toledo/Vader road that were designated Urban Reserve have been eliminated as proposals. After careful review, it was determined that these two areas did not meet the basic requirements to be implemented as Urban Reserve or an Economic Urban Growth Area in the future. Neither area contains urban development nor is either area “adjacent” to an existing city limit or existing Urban Growth Area.

The remaining proposed boundaries shall be adopted as part of the south county plan as Urban Reserve zones. The establishment of Urban Reserve zones will help ensure that the preferred committee alternatives for the Economic Development Urban Growth Areas will be available for future designation as UGAs through the establishment of 20 acre minimums. This will also enable work to continue on the Capital Facilities Element of the plan, and give time to establish service providers to the future Economic Urban Growth Areas.

One option to adopting the entire Sub Area Plan would include adopting only the policies in the Sub Area Plan by Resolution. As discussed above, the plan itself requires more work to meet the required threshold required for an effective sub-area plan. Adopting the policies only by Resolution and adopting the Urban Reserve Zones separately will not prevent the establishment for the future Sub Area Plan to be adopted with Economic Urban Growth Area boundaries. Staff would recommend this option be considered and forwarded to the Board of County Commissioners.